

EPSTEIN BECKER & GREEN, P.C.  
One Gateway Center  
Newark, New Jersey 07102  
Telephone: (973) 642-1900  
Facsimile: (973) 642-0099  
Attorneys for Plaintiffs  
Ross University School of Medicine and  
Global Education International, Inc.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

ROSS UNIVERSITY SCHOOL OF  
MEDICINE and GLOBAL EDUCATION  
INTERNATIONAL, INC.,

Plaintiffs,

v.

BEHZAD AMINI, WWW.ROSSU.NET,  
WWW.ROSSMEDICALSCHOOL.ORG,  
WWW.ROSSMEDSCHOOL.COM and  
WWW.JOHNDOEROSSINFRINGINGSITES1-  
20.DOE

Defendants.

Civil Action No. 3:13-cv-6121-AET-TJB

**AFFIDAVIT OF SERVICE**

STATE OF NEW JERSEY )

: ss:

COUNTY OF ESSEX )

James P. Flynn, being of full age and duly sworn according to law, says, under oath:

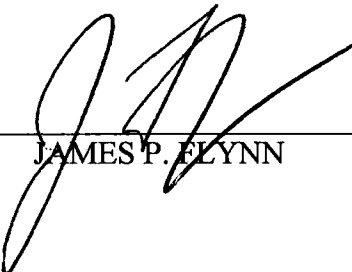
1. I am an attorney-at-law of the State of New Jersey and United States District Court for the District of New Jersey and a member of the law firm of Epstein Becker & Green, attorneys for plaintiffs Ross University School of Medicine and Global Education International, Inc. As such, I am fully familiar with the facts herein. I make this Affidavit of Service pursuant to Federal Rule of Civil Procedure 4 and pursuant to paragraph 9 of the October 16, 2013 Order to Show Cause with Temporary Restraints executed by the Honorable Anne E. Thompson, U.S.D.J. (ECF #6).

2. On October 16, 2013 at approximately 3:47 p.m., I caused a true and correct copy of the following documents to be served via Electronic Mail upon defendant Behzad Amini at bccpda@yahoo.com: (1) Order to Show Cause with Temporary Restraints; (2) Verified Complaint; (3) Exhibits to Verified Complaint; (4) Brief in Support of Request for Injunctive Relief (5) Civil Cover Sheet; (6) Rule 7.1 Disclosure Statement; and (7) Summons. (Exhibit A).

3. Service of the items identified in paragraph 2 of this Affidavit was effectuated on October 16, 2013 in accordance with paragraph 9 of the Order to Show Cause with Temporary Restraints stating that "service by electronic means is deemed adequate and sufficient."

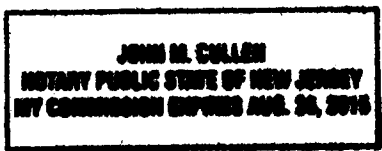
4. On the evening of October 16, 2013 Mr. Amini responded with "you will have my motions before the hearing via email" thus indicating that he received the items identified in paragraph 2. (See Exhibit B at page 6).

5. In addition, on October 17, 2003, I provided Mr. Amini with the Court's Pro Se Guide and instructions on how to access the New Jersey Federal District Court's website and were to find instructions and forms related to appearing and filing without an attorney. (Exhibit B.)

  
\_\_\_\_\_  
JAMES P. FLYNN

Sworn to before me this 22  
day of October 2013

  
\_\_\_\_\_  
NOTARY PUBLIC



## **EXHIBIT A**

---

**From:** James P. Flynn <JFlynn@ebglaw.com>  
**Sent:** Wednesday, October 16, 2013 3:47 PM  
**To:** bccpda@yahoo.com; unitedstates@cox.net  
**Cc:** William S. Gyves  
**Subject:** Ross University School of Medicine et al. v. Behzad Amini et al-- ORDER ENJOINING AND RESTRAINING AMINI ET AL  
**Attachments:** Filed Civil Cover Sheet.pdf; Filed Exhibits to Verified Complaint.pdf; Filed Memorandum of law in Support of TRO.pdf; Filed Verified Complaint.pdf; Summons to Amini.pdf; Signed Order to Show Cause.pdf; Filed Rule 7.1 Disclosure Statement.pdf; amini service letter.pdf

Dear Mr. Amini,

Attached is a copy of the order entered by the Court today. **Please be advised that Judge Thompson has directed that service by email will constitute valid and effective service for purposes of this TRO**, as detailed further in the attached cover letter, the text of which has been pasted below as well. Be guided accordingly

Very truly yours,

James P. Flynn

October 16, 2013

**VIA EMAIL & FEDEX**

bccpda@yahoo.com; unitedstates@cox.net

Mr. Behzad Amini

13835 North Tatum Boulevard, #9-280

Phoenix, AZ 85032

**Re: Ross University School of Medicine, et al. v. Behzad Amini, et al.**  
**Case No.: 13 Civ. 06121**

Dear Mr. Amini:

As you know, we represent the plaintiffs in the above-captioned action. Enclosed please find copies of the Summons and the Temporary Restraining Order ("TRO") that was entered this morning by the Honorable Anne E. Thompson of the United States District Court for the District of New Jersey.

**Please be advised that Judge Thompson has directed that service by email will constitute valid and effective service for purposes of this TRO.** Thus, the service of our papers this morning via email was effective service. Nonetheless, we attach additional copies with the signed TRO and related summons.

Please also note that the TRO provides that you must immediately:

- **cease disparaging Ross University, its agents and affiliated entities in any manner (TRO at page 3, ¶ 2(a));**
- **identify to the Court and the undersigned as counsel for plaintiffs each and every website that you have registered that contains the word “Ross” (TRO, bottom of page 2 at ¶ 1);**
- **stop using any of the Offending, Infringing Sites (as this term is defined in the attached Verified Complaint) in any manner (TRO at page 3, ¶ 2(b));**
- **not sell or transfer the Offending, Infringing Sites to anyone (TRO at page 3, ¶ 2(c));**
- **immediately turn over, or direct your agents to turn over, the Offending, Infringing Sites to me or Ross University (TRO at page 3, ¶ 3(a));**
- **cancel or disable, or direct your agents to cancel or disable, all website links on the Offending, Infringing Sites (TRO at page 3, ¶ 3(b)); and**
- **return the Offending, Infringing Sites to an inactive status pending the preliminary injunction hearing (TRO at page 3, ¶ 3(c)).**

Please be guided accordingly.

Should you wish to be heard, please note that the preliminary injunction hearing will be held on October 28, 2013 at 10:30 a.m. in Courtroom 4-W of the United States Courthouse located at 402 East State Street, Trenton, New Jersey. The Order provides that any written responses that you wish to provide should be filed with the Court and served on me five days before the October 29<sup>th</sup> hearing.

Very truly yours,

James P. Flynn

JPF:kb  
Enclosures

EPSTEIN  
BECKER  
GREEN

**James P. Flynn Bio**  
t 973.639.8285 f 973.639.8931  
[JFlynn@ebglaw.com](mailto:JFlynn@ebglaw.com)

**One Gateway Center Newark, NJ 07102**  
t 973.642.1900 | [www.ebglaw.com](http://www.ebglaw.com)

*Think Green. Please consider the environment before you print this message. Thank you.*

CONFIDENTIALITY NOTE: This communication is intended only for the person or entity to which it is addressed and may contain information that is privileged, confidential or otherwise protected from disclosure. Dissemination, distribution or copying of this communication or the information herein by anyone other than the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, is prohibited. If you have received this communication in error, please call the Help Desk of Epstein Becker & Green, P.C. at (212) 351-4701 and destroy the original message and all copies. To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

Pursuant to the CAN-SPAM Act this communication may be considered an advertisement or solicitation. If you would prefer not to receive future marketing and promotional mailings, please submit your request via email to [ebgus@ebglaw.com](mailto:ebgus@ebglaw.com) or via postal mail to Epstein Becker & Green, P.C. Attn: Marketing Department, 250 Park Avenue, New York, NY 10177. Be sure to include your email address if submitting your request via postal mail.

---

EPSTEIN  
BECKER  
GREEN

Attorneys at Law

James P. Flynn  
t 973.639.8285  
f 973.639.8931  
jflynn@ebglaw.co

October 16, 2013

**VIA EMAIL & FEDEX**

**bccpda@yahoo.com; unitedstates@cox.net**

Mr. Behzad Amini

13835 North Tatum Boulevard, #9-280

Phoenix, AZ 85032

**Re: Ross University School of Medicine, et al. v. Behzad Amini, et al.  
Case No.: 13 Civ. 06121**

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Mr. Behzad Amini  
October 16, 2013  
Page 2

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Very truly yours,

  
James P. Flynn

JPF:kb  
Enclosures

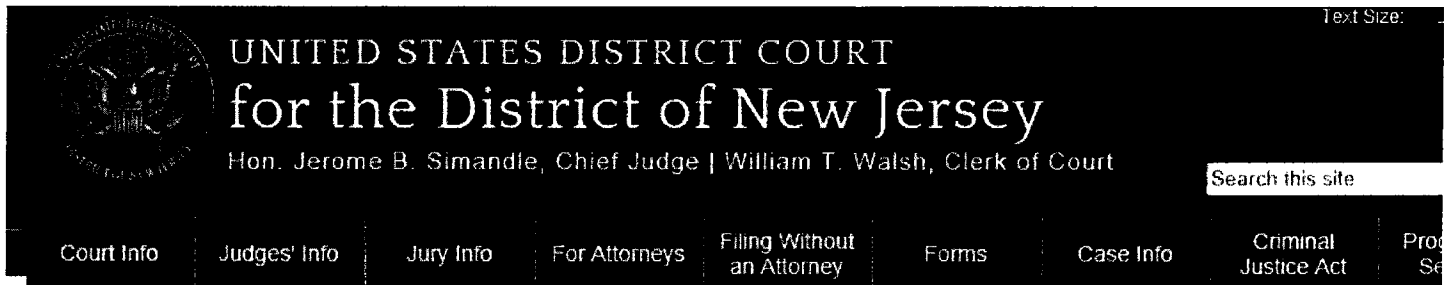


## **EXHIBIT B**

**From:** James P. Flynn  
**Sent:** Thursday, October 17, 2013 11:34 AM  
**To:** Ben Amini  
**Cc:** William S. Gyves  
**Subject:** RE: Ross University School of Medicine et al. v. Behzad Amini et al-- ORDER ENJOINING AND RESTRAINING AMINI ET AL  
**Attachments:** ProSeGuide.pdf

Mr Amini,

In follow up to our call, please note that at the New Jersey federal district court's website (<http://www.njd.uscourts.gov/>) there is a tab (close to center as you go across the page) for a menu of instructions and forms related to appearing and filing without an attorney:



You should review all aspects of that pull down menu, and should note that there is available a Guide to Pro Se Litigant, which I have attached for your convenience. Review it in full, but note specifically at page 12 the information related to electronic case filing system and your ability to establish a pacer account to file documents. You should go through that process and then file a document with this case title and docket number that is entitled "Notice of Appearance" and states that "Defendant Amini is appearing pro se," and sign and date it. Your substantive responses can be later filed in same manner, but Judge Thompson requires submission of an additional paper copy to her (Her address is available at same court website).

As to the possibility of getting counsel appointed, you can review the matters in the guide and in the pull down menu

Very truly yours

-----Original Message-----

From: Ben Amini [mailto:[bccpda@yahoo.com](mailto:bccpda@yahoo.com)]  
Sent: Thursday, October 17, 2013 10:28 AM  
To: James P. Flynn

Subject: RE: Ross University School of Medicine et al. v. Behzad Amini et al-- ORDER ENJOINING AND RESTRAINING AMINI ET AL

No problem. Thanks

-----  
On Thu, 10/17/13, James P. Flynn <JFlynn@ebglaw.com> wrote:

Subject: RE: Ross University School of Medicine et al. v. Behzad Amini et al-- ORDER ENJOINING AND RESTRAINING AMINI ET AL

To: "Ben Amini" <bccpda@yahoo.com>

Date: Thursday, October 17, 2013, 7:24 AM

The judge would like to hear from us  
at 10:45am.

You can call 1 888 324 2213 and enter code 973 639  
8285. Once we are connected, I will patch in judge

James P. Flynn | [http://www.ebglaw.com/bio\\_JFlynn](http://www.ebglaw.com/bio_JFlynn)  
t 973.639.8285 | f 973.639.8931  
mailto:JFlynn@ebglaw.com

One Gateway Center | Newark, NJ 07102  
t 973.642.1900 | <http://www.ebglaw.com/>

Think Green. Please consider the environment before you  
print this message. Thank you.

-----Original Message-----

From: Ben Amini [mailto:bccpda@yahoo.com]  
Sent: Thursday, October 17, 2013 10:22 AM  
To: James P. Flynn  
Subject: RE: Ross University School of Medicine et al. v.  
Behzad Amini et al-- ORDER ENJOINING AND RESTRAINING AMINI  
ET AL

Thank you Mr. Flynn.

-----  
On Thu, 10/17/13, James P. Flynn <JFlynn@ebglaw.com>  
wrote:

Subject: RE: Ross University School of Medicine et al. v.  
Behzad Amini et al-- ORDER ENJOINING AND RESTRAINING AMINI  
ET AL

To: "Ben Amini" <bccpda@yahoo.com>

Date: Thursday, October 17, 2013, 7:20 AM

Mr. Amini,

I have called the Court and am awaiting instructions from the Court as to availability. I will let you know.

James P. Flynn | [http://www.ebglaw.com/bio\\_JFlynn](http://www.ebglaw.com/bio_JFlynn)  
t 973.639.8285 | f 973.639.8931  
mailto:JFlynn@ebglaw.com

One Gateway Center | Newark, NJ 07102  
t 973.642.1900 | <http://www.ebglaw.com/>

Think Green. Please consider the environment before you print this message. Thank you.  
-----Original Message-----

From: Ben Amini [mailto:bccpda@yahoo.com]  
Sent: Thursday, October 17, 2013 10:08 AM  
To: James P. Flynn  
Subject: RE: Ross University School of Medicine et al. v. Behzad Amini et al-- ORDER ENJOINING AND RESTRAINING AMINI ET AL

Mr. Flynn,

I am waiting for your response. How do you want to proceed?  
Shall I call your number or the court. I am available at any time for this conference call.

Thanks

-----  
On Thu, 10/17/13, James P. Flynn <JFlynn@ebglaw.com> wrote:

Subject: RE: Ross University School of Medicine et al. v. Behzad Amini et al-- ORDER ENJOINING AND RESTRAINING AMINI ET AL  
To: "Ben Amini" <bccpda@yahoo.com>  
Cc: "William S. Gyves" <WGyves@ebglaw.com>  
Date: Thursday, October 17, 2013, 5:55 AM

Mr. Amini,

I provided no false information, and am available to discuss with the Court at 10am eastern if that is convenient for

the  
Court or at 11am or 11:30am if that is more  
convenient.

If you provide me with your phone number, I can  
conference  
you into a call with the Court.

James P. Flynn | [http://www.ebglaw.com/bio\\_JFlynn](http://www.ebglaw.com/bio_JFlynn)  
t 973.639.8285 | f  
973.639.8931  
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One Gateway Center | Newark, NJ 07102  
t 973.642.1900 | <http://www.ebglaw.com/>

Think Green. Please consider the environment before  
you  
print this message. Thank you.  
-----Original Message-----

From: Ben Amini [mailto:bccpda@yahoo.com]  
Sent: Thursday, October 17, 2013 8:43 AM  
To: James P. Flynn  
Subject: Re: Ross University School of Medicine et  
al. v.  
Behzad Amini et al-- ORDER ENJOINING AND RESTRAINING  
AMINI  
ET AL

Mr. Flynn,

I just talked to judge Thomson and she suggested we  
have a  
three way phone conversation with her regarding this  
issue,  
as I was not present in the court and you submitted  
false  
information to the court in order to get the TRO.

When is the good time to have this conference call?

Thanks

-----  
On Wed, 10/16/13, James P. Flynn <JFlynn@ebglaw.com>

wrote:

Subject: Re: Ross University School of  
Medicine et  
al. v.  
Behzad Amini et al-- ORDER ENJOINING AND RESTRAINING  
AMINI  
ET AL  
To: "Ben Amini" <bccpda@yahoo.com>  
Date: Wednesday, October 16, 2013, 3:37  
PM

Mr Amini,

While I appreciate your advising me of  
your intention  
to  
respond with timely submissions, please  
understand  
that  
the  
order does more than schedule your  
response.  
It  
requires that you comply with its  
provisions to cease  
and  
desist in certain activities and to take  
certain  
affirmative  
steps as outlined in my correspondence and  
in the  
order  
itself.

You must yourself takes those steps  
necessary to  
remove  
disable and remove from public view the  
posted  
content,  
place the offending URLs in a blank,  
inactive status,  
and  
transfer the registrations to plaintiffs,  
among  
things. If that requires that you  
give  
instructions,  
approvals or authorizations to registrars,  
hosting  
companies

or other third parties, you must do so and you will be in contempt of the court for non compliance with its order.

Very truly yours,

James Flynn

Sent from my iPad

> On Oct 16, 2013, at 5:18 PM, "Ben Amini" <bccpda@yahoo.com> wrote:

>  
> Thank you Mr. Flynn for your  
response. You will  
have  
my  
motions before the hearing via email.

>  
> Thanks

[illegible]

James P. Flynn | [http://www.ebglaw.com/bio\\_JFlynn](http://www.ebglaw.com/bio_JFlynn)  
t 973.639.8285 | f  
973.639.8931  
<mailto:JPFlynn@ebglaw.com>

One Gateway Center | Newark, NJ 07102  
t 973.642.1900 | <http://www.ebglaw.com/>

Think Green. Please consider the environment before you print this message. Thank you.

> On Wed, 10/16/13, James P. Flynn  
<JFlynn@ebglaw.com>  
wrote:  
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> Subject: Ross University School of  
Medicine et  
al. v.  
Behzad Amini et al-- ORDER ENJOINING AND  
RESTRAINING  
AMINI  
ET AL  
> To: "bccpda@yahoo.com"  
<bccpda@yahoo.com>,  
"unitedstates@cox.net"  
<unitedstates@cox.net>  
> Cc: "William S. Gyves" <WGyves@ebglaw.com>  
> Date: Wednesday, October 16, 2013,  
12:46 PM

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by  
> email will constitute valid and effective  
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> purposes of this TRO, as detailed further  
> in the attached cover letter, the text of  
which  
has been  
> pasted below as well. Be



guided

accordingly

>

> Very truly yours,

>

> James P. Flynn

>

>

>

>

>

> October 16, 2013

> VIA EMAIL &

> FEDEX

> bccpda@yahoo.com;

> unitedstates@cox.net

> Mr. Behzad Amini

>

> 13835 North Tatum Boulevard, #9-280

>

> Phoenix, AZ 85032

>

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>

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> Re:

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> Ross University School of

> Medicine, et al. v. Behzad Amini, et

al.

> Case No.: 13 Civ.

> 06121

>

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>

>

> Dear Mr. Amini:

> As you know, we represent the

> plaintiffs in the above-captioned

action.

Enclosed

> please find copies of the Summons

> and the Temporary Restraining

Order

("TRO")

that was

> entered this morning by the Honorable

Anne E.

Thompson

of  
> the United States District Court for  
the  
District of  
New  
> Jersey.  
>  
> Please be advised that Judge  
> Thompson has directed that service by  
email  
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Thus, the  
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> Please also note that the TRO  
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> immediately:  
>  
> .  
> cease disparaging Ross University,  
> its agents and affiliated entities in  
any manner  
(TRO  
at  
> page 3, ¶ 2(a));  
>  
> .  
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each and  
every  
website  
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> .  
> stop

> using any of the Offending,  
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term  
> is defined in the attached Verified  
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in any  
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> (TRO at page 3, ¶ 2(b));  
>  
> .  
> not  
> sell or transfer the Offending,  
Infringing Sites  
to  
anyone  
> (TRO at page 3, ¶ 2(c));  
>  
> .  
> immediately turn over, or direct  
> your agents to turn over, the  
Offending,  
Infringing  
Sites to  
> me or Ross University (TRO at page 3,  
¶  
> 3(a));  
>  
> .  
> cancel or disable, or direct your  
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page 3, ¶  
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> and  
>  
> .  
> return the Offending, Infringing  
> Sites to an inactive status pending  
the  
preliminary  
> injunction hearing (TRO at page 3, ¶  
3(c)).  
>  
> Please be guided  
> accordingly.  
>  
> Should you wish to be heard,  
> please note that the preliminary  
injunction

hearing  
will be  
> held on October 28, 2013 at  
> 10:30 a.m. in Courtroom 4-W of  
the United  
States  
Courthouse  
> located at 402 East State Street,  
Trenton, New  
Jersey.  
> The Order provides that any written  
responses  
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you  
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> Very truly yours,  
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> James P. Flynn  
> JPF:kb  
> Enclosures  
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> James P. Flynn | Bio  
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> t 973.639.8285 | f  
> 973.639.8931  
>

> JFlynn@ebglaw.com  
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>  
> One Gateway Center | Newark, NJ  
> 07102  
>  
> t 973.642.1900 | www.ebglaw.com  
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> Think  
> Green. Please consider the  
environment before  
you  
print  
> this message. Thank you.  
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> CONFIDENTIALITY NOTE: This  
communication is  
> intended only for the person or  
entity to which  
it is  
> addressed and may contain information  
that is  
privileged,  
> confidential or otherwise protected  
> from disclosure.  
Dissemination,  
distribution or  
> copying of this communication or the  
information  
herein  
by  
> anyone other than the intended  
recipient, or an  
employee or  
> agent responsible for delivering the  
message to  
the  
intended  
> recipient, is prohibited. If  
> you have received this

communication in  
error,  
please call  
> the Help Desk of Epstein Becker &  
Green,  
P.C. at  
(212)  
> 351-4701 and destroy the original  
message and  
all  
> copies.  
>  
> To ensure  
> compliance with requirements imposed  
by the IRS,  
we  
inform  
> you that any U.S. federal tax advice  
contained  
in  
this  
> communication (including any  
attachments) is  
not  
intended or  
> written to  
> be used, and cannot be used,  
for the  
purpose of  
(i)  
> avoiding penalties under the Internal  
Revenue  
Code or  
(ii)  
> promoting, marketing or recommending  
to another  
party  
any  
> transaction or matter addressed  
herein.  
>  
> Pursuant to  
> the CAN-SPAM Act this communication  
may be  
considered  
an  
> advertisement or solicitation.  
If you  
would  
prefer not  
> to receive future marketing and  
promotional

mailings,  
please  
> submit your  
> request via email to [ebgus@ebglaw.com](mailto:ebgus@ebglaw.com) or  
via postal mail to Epstein Becker  
> & Green, P.C. Attn: Marketing  
> Department, 250 Park Avenue,  
New York, NY  
10177. Be  
> sure to include your email address if  
submitting  
your  
> request via postal mail.EBGST041706  
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